

STATE OF INDIANA)
)
HENDRICKS COUNTY)
)
IN RE: THE MATTER OF PROPOSED)
LOCAL RULES LR32-CR00-1)

**ORDER FINDING GOOD CAUSE TO ADOPT LOCAL RULE AND TO DEVIATE FROM
TIME SCHEDULE FOR ADOPTION AND NOTICE OF NEW LOCAL COURT RULE**

Pursuant to Trial Rule 81(D) of the Indiana Rules of Trial Procedure, the Judges of the Hendricks Circuit and Superior Courts find that good cause exists to deviate from the time schedule established by Trial Rule 81(C), and do now adopt the following local rule. Any comments may be sent to the Judges of the Circuit and Superior Courts of Hendricks County through the Office of the Clerk at P.O. Box 599, Danville, IN 46122. Comments from the bar and public will be accepted until May 31, 2008. This rule shall become effective on June 1, 2008.

It is further ordered that notice of the adoption of this proposed local rule shall be provided to the Division of State Court Administration, to the Clerk of Hendricks County, and to the Hendricks County Bar Association.

All of which is ordered this 1st day of May 2008.

_____/S/_____
Jeffrey V. Boles, Judge
Hendricks Circuit Court

_____/S/_____
Robert W. Freese, Judge
Hendricks Superior Court No. 1

_____/S/_____
David H. Coleman, Judge
Hendricks Superior Court No. 2

_____/S/_____
Karen M. Love, Judge
Hendricks Superior Court No. 3

_____/S/_____
Mark A. Smith, Judge
Hendricks Superior Court No. 4

_____/S/_____
Stephenie LeMay-Luken, Judge
Hendricks Superior Court No. 5

LR32-CR-00-1 HENDRICKS COUNTY BAIL BOND SCHEDULE

Hendricks Circuit, Superior No. 1, 2, 3, 4, and 5 Courts

The following Bail Bond Schedule is effective June 1, 2008, and supercedes all prior schedules.

Cash bond schedule applies to the Superior Courts only. **HENDRICKS CIRCUIT COURT WILL NOT ACCEPT CASH BONDS.**

<u>OFFENSE/CLASS</u>	<u>Surety Bond</u>	<u>Cash Bond</u>
Murder	No Bond	No Bond
Resisting Law Enforcement	\$100,000	NONE
(until the initial hearing or 24 hours after the arrest of the defendant. At such time, the bond shall be that applicable to the regular bond schedule for that level of offense.)		
Class A felony	\$100,000 surety only	None
Class B felony	\$ 50,000 surety only	None
Class C felony	\$ 25,000 surety only	NONE
Habitual Offender	\$ 30,000 surety only	NONE

INDIANA RESIDENTS

Class D felony	\$ 5,000	\$1,500
Class A misdemeanor	\$ 1,500	\$ 500
Class B misdemeanor	\$ 1,250	\$ 400
Class C misdemeanor	\$ 1,000	\$ 200

OUT-OF-STATE RESIDENTS

Class D felony	\$ 15,000	\$5,000
Class A misdemeanor	\$ 5,000	\$2,500
Class B misdemeanor	\$ 3,000	\$1,000
Class C misdemeanor	\$ 2,000	\$1,000

IDENTIFICATION CASES

Any person who cannot be positively identified at book-in shall be held without bond until the person is brought before the Court for a hearing to determine bond. This includes, but is not limited to, those individuals who refuse to cooperate in their identification by refusing to be fingerprinted, individuals who possess conflicting identification, and individuals whose identifying information cannot be verified.

PERSONS CHARGED WITH A CRIME OF DOMESTIC VIOLENCE

A person charged with a crime of domestic violence as defined in I.C. 35-41-1-6.3 shall be kept in custody and not released on bail for at least eight (8) hours from the time of arrest pursuant to I.C. 35-33-1-1.7 and I.C. 35-33-8-6.5.

SEXUALLY VIOLENT PREDATOR DEFENDANTS

Pursuant to I.C. 35-33-8-3.5, a person who is a sexually violent predator under I.C. 35-38-1-7.5, and who is arrested or charged with the commission of an offense that would classify the person as a sex or violent offender as defined in I.C. 11-8-8-5 shall not be admitted to bail until a court has conducted a bail hearing in open court.

PERSONS CHARGED WITH CHILD MOLESTING OR CHILD SOLICITATION

Pursuant to I.C. 35-33-8-3.5, a person charged with Child Molesting or Child Solicitation shall not be admitted to bail until the court has conducted a bail hearing in open court.

OTHER CONDITIONS OF BOND

All appearance bonds posted by defendants are subject to the following conditions: a) the defendant shall appear in court at all times required by the Court; b) the defendant shall not leave the State of Indiana without the prior written approval of the Court; c) the defendant shall not commit or be arrested for another criminal offense; d) the defendant shall make contact and schedule an appointment with court appointed counsel immediately upon posting bond and keep all appointments; e) the defendant shall keep his or her attorney and the Court advised in writing of any change of address within twenty-four (24) hours of such change; f) any other condition of bond ordered by the Court; g) pursuant to I.C. 35-33-8-3.29a)(4), a defendant's release may also be conditioned upon refraining from any direct or indirect contact with the alleged victim of an offense or other individual so ordered by the Court. Violation of any condition of bond may result in the Court revoking the defendant's release on bond and the issuance of a warrant for re-arrest.

Pre-trial Motions for Bond Reduction shall be presented to the Court in writing and proper notice of the hearing scheduled thereon shall be given to the Prosecuting Attorney.

All property bonds shall be granted only after notice is sent to the Prosecuting Attorney and a hearing is set to determine whether such bonds are proper.

This bond schedule shall be followed by the Circuit, Superior No. 1, 2, 3, 4, and 5 Courts of this County and by the Clerk of said Courts in the setting of bond on warrants issued on criminal information or indictments, except multiple-count information or where justice demands a lesser or greater amount.

This bond schedule shall apply to the highest charge pending against a person if multiple charges are or may be filed. If the listed bond amount is inappropriate under the circumstances, the Prosecuting attorney shall bring such circumstances to the attention of the Court by written motion.

This bond schedule shall not be applicable in the case of a person who has been arrested for a crime while on probation, parole, bond or released on own recognizance for another offense. In such case, the person may be detained for a maximum period of

15 calendar days, during which period the Prosecuting Attorney shall notify the appropriate parole or probation authority, and the Court shall determine the proper amount of bond, if any.

CASH BONDS:

All cash bonds shall be posted with the Hendricks County Clerk or the Hendricks County Sheriff only after the defendant signs a personal appearance bond.

Pursuant to I.C. 35-33-8-3.2 and 35-33-8-4, the Hendricks County Clerk shall retain a portion of each cash bond posted in criminal cases as an administrative fee in all causes pending in the Circuit and Superior Courts. The administrative fee shall not exceed ten percent (10%) or the monetary value of the deposit or fifty dollars (\$50.00) whichever is less.